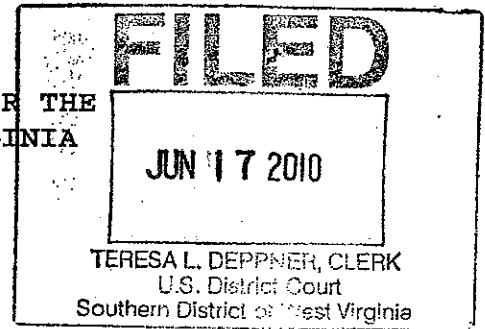


UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON



UNITED STATES OF AMERICA

v.

CRIMINAL NO.

2:09-00256  
18 U.S.C. § 1349  
26 U.S.C. § 7201

DEBORAH L. JOYCE  
(aka "DEBORAH L. SMITH")

I N F O R M A T I O N

The United States Attorney charges:

COUNT ONE  
(Conspiracy To Commit Wire And Bank Fraud)

Background

At all relevant times:

1. Defendant DEBORAH L. JOYCE and her husband were members of Prime Developers, LLC, organized under the laws of the state of West Virginia.
2. The Stonegate subdivision was situated in Hurricane, Putnam County, West Virginia.
3. Within the Stonegate subdivision, there is a four bedroom, three and one-half bathroom single family residence located on a road known as Spruce Ridge (the "Spruce Ridge property").
4. In or about February 2005, Defendant DEBORAH L. JOYCE's co-conspirators formed a real estate investment group in or near

Salt Lake City, Utah called "100X, Inc. " and recruited unsophisticated private investors (the "Utah investors") to purchase homes in the Stonegate subdivision as investment properties.

5. Defendant DEBORAH L. JOYCE's co-conspirators, who worked for a Salt Lake City, Utah mortgage company, processed mortgage applications and loan papers on behalf of the Utah investors for properties purchase in the Stonegate subdivision.

#### Conspiracy

6. From at least April 2006 to until at least December 2007, at or near Hurricane, Putnam County, West Virginia, and within the Southern District and elsewhere, defendant DEBORAH L. JOYCE and her co-conspirators, known and unknown to the United States Attorney, did knowingly conspire together to commit offenses under Chapter 63 of Title 18 of the United States Code, that is:

- a. having devised and intended to devise a scheme and artifice to defraud and to obtain money by means of materially false and fraudulent pretenses, did knowingly transmit and cause to be transmitted by means of wire communications in interstate commerce, writings, signs, signals, pictures, and sounds in violation of 18 U.S.C. §§ 1343 and 2, which scheme and artifice to defraud affected one or more financial institutions; and
- b. knowingly executed, or attempted to execute, a

scheme and artifice to defraud a financial institution and obtain moneys, funds, credits, assets, securities, and other property owned by and under the custody and control of a financial institution, by means of materially false and fraudulent pretenses, representations and promises in violation of 18 U.S.C. §§ 1344 and 2.

Object of the Conspiracy

7. It was the object of the conspiracy that defendant DEBORAH L. JOYCE and her co-conspirators, known and unknown to the United States Attorney, to enrich themselves by engaging in an illegal property "flipping" scheme with the Spruce Ridge property situated in the Stonegate subdivision in Hurricane, Putnam County.

Manner and Means of the Conspiracy

8. It was part of the conspiracy that defendant DEBORAH L. JOYCE was approached by one of her co-conspirators who claimed to have a number of Utah investors willing to purchase properties in the Stonegate subdivision for investment purposes.

9. It was further part of the conspiracy that in the summer of 2006, defendant DEBORAH L. JOYCE met with the owners of the Spruce Ridge property regarding the sale of their property.

10. It was further part of the conspiracy that defendant DEBORAH L. JOYCE would and did offer to purchase the home through Prime Developers, LLC for a purchase price of \$395,000, which the owners agreed.

11. It was further part of the conspiracy that defendant DEBORAH L. JOYCE obtained an inflated and false appraisal from a person known to the United States Attorney reflecting the value of the property to be \$714,000, notwithstanding the current underlying sale price.

12. It was further part of the conspiracy that defendant DEBORAH L. JOYCE transmitted or caused to be transmitted the inflated appraisal via email to her co-conspirators in Utah.

13. It was further part of the conspiracy that the co-conspirators marketed the Spruce Ridge property to the Utah investors for purchase and (i) fraudulently concealed the underlying purchase price obtained by Prime Developers, LLC and (ii) falsely misrepresented that the inflated appraisal grossly undervalued the property.

14. It was further part of the conspiracy that defendant DEBORAH L. JOYCE's co-conspirators convinced a person known to the United States Attorney, Victim No. 1, to purchase the Spruce Ridge property for \$615,000.

15. It was further part of the conspiracy that defendant DEBORAH L. JOYCE's co-conspirators helped Victim No. 1 obtain a mortgage for the Spruce Ridge property by falsifying information to the lender.

16. It was further part of the conspiracy that defendant DEBORAH L. JOYCE's co-conspirators arranged for a "upside-down" closing on or about August 14, 2006 in or near Hurricane, Putnam

County.

17. It was further part of the conspiracy that defendant DEBORAH L. JOYCE's co-conspirators closed the second sale between Prime Developers and Victim No. 1 first in order to fund the closing between Prime Developers and the original owners.

18. It was further part of the conspiracy that defendant DEBORAH L. JOYCE and her co-conspirators falsified the HUD-1 Settlement Statement by concealing payments to the lender promised to Victim No. 1 from the loan proceeds.

19. It was further part of the conspiracy that defendant DEBORAH L. JOYCE's co-conspirators would and did transfer funds, via the use of wires, to Victim No. 1 from the loan proceeds.

20. It was further part of the conspiracy that defendant DEBORAH L. JOYCE and her co-conspirators concealed from the lender that defendant DEBORAH L. JOYCE and her co-conspirators also received a portion of the loan proceeds via wire transfer from the Spruce Ridge property.

21. It was further part of the conspiracy that, despite materially false representations to Victim No. 1, defendant DEBORAH L. JOYCE and her co-conspirators failed to resale the Spruce Ridge property for Victim No. 1, leading to foreclosure and a bank sale of the property on or about February 19, 2009 for \$305,000.

In violation of Title 18, United States Code, Section 1349.

## COUNT TWO

On or about October 20, 2008, in the Southern District of West Virginia, defendant DEBORAH L. JOYCE, a resident of Hurricane, Putnam County, West Virginia, did willfully attempt to evade and defeat a large part of the income tax due and owing by her to the United States of America for the calendar year 2007, by filing and causing to be filed with the Director, Internal Revenue Service, at Atlanta, Georgia, a false and fraudulent U.S. Individual Income Tax Return, Form 1040, wherein she stated that her taxable income after deductions and exemptions was zero dollars for the calendar year 2007, whereas, as she then and there well knew and believed, her taxable income for said calendar year was substantially in excess of that heretofore stated and that upon said additional taxable income a substantial additional tax was due and owing to the United States of America.

In violation of Title 26, United States Code, Section 7201.

### FORFEITURE

In accordance with 28 U.S.C. § 2461(c), 18 U.S.C. § 981(a)(1)(C), and Rule 32.2(a) of the Federal Rules of Criminal Procedure, and premised upon the conviction of the defendant DEBORAH JOYCE of a violation of 18 U.S.C. § 1349 (conspiracy to commit wire and bank fraud) as set forth in Count One of this Information, the defendant shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offense, including but not limited to the sum of \$2,345,448.00, more or less, in United States currency in that such sum in aggregate constitutes the gross proceeds derived by the defendant from the conspiracy offense alleged in Count One, for which sum the United States intends to seek the entry of a judgment.

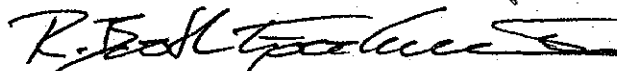
NOTICE OF INTENT TO FORFEIT SUBSTITUTE ASSETS

If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred to, sold to, or deposited with a third person;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 28 U.S.C. § 2461(c) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of said property listed above as being subject to forfeiture.

UNITED STATES OF AMERICA



R. BOOTH GOODWIN II  
United States Attorney



UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON

COPY - The original was filed in  
the Clerk's Office at Charleston on

JUN 17 2010

TERESA L. DEPPNER, CLERK  
U.S. District Court  
Southern District of West Virginia

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2:10-CR-00095

18 U.S.C. § 1014

26 U.S.C. § 7201

18 U.S.C. § 2

TODD W. JOYCE

I N F O R M A T I O N

The United States Attorney charges:

COUNT ONE

(False Statement to a Financial Institution)

On or about April 21, 2006, in or near Fayetteville, Fayette County, West Virginia, within the Southern District of West Virginia, defendant TODD W. JOYCE, individually as an aider and abettor, knowingly made false statements for the purpose of influencing the actions of United Bank, an institution the accounts of which were then insured by the Federal Deposit Insurance Corporation, in connection with defendant TODD W. JOYCE's application to obtain a construction loan in the amount of \$740,000, in that defendant TODD W. JOYCE presented a false and fraudulent Internal Revenue Service 1040 tax return for the calendar year 2005.

In violation of Title 18, United States Code, Sections 1014 and 2.

### FORFEITURE

In accordance with 28 U.S.C. § 2461(c), 18 U.S.C. § 981(a)(1)(C), and Rule 32.2(a) of the Federal Rules of Criminal Procedure, and premised upon the conviction of the defendant TODD W. JOYCE of a violation of 18 U.S.C. § 1014 as set forth in Count One of this Information, the defendant shall forfeit to the United States any property, real or personal, which constitutes or is derived from proceeds traceable to such offense, including but not limited to the sum of \$820,000.00, more or less, in United States currency in that such sum in aggregate constitutes the gross proceeds derived by the defendant from the false statement offense alleged in Count One, for which sum the United States intends to seek the entry of a judgment.

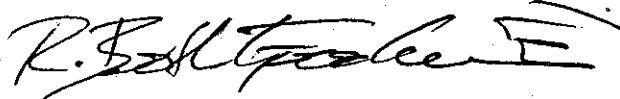
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- e. has been commingled with other property that cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 28 U.S.C. § 2461(c) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant up to the value of said property listed above as being subject to forfeiture.

UNITED STATES OF AMERICA



R. BOOTH GOODWIN II  
United States Attorney